

#619  
Official  
7-2-02

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

ae  
RECEIVED  
7-1-02

Applicant(s): Gordon et al.  
Case: DIVA/173  
Serial No.: 09/201,530 Filed: 11/30/98  
Examiner: Andrew Y. Koenig Group Art Unit: 2611  
Title: METHOD AND APPARATUS FOR PRODUCING DEMAND REAL-  
TIME TELEVISION

RESPONSE

COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

This is in response to the Office Action mailed April 1, 2002.  
Please amend this application as follows.

IN THE SPECIFICATION

Page 1, replace the CROSS SECTION TO A RELATED APPLICATION with the  
following CROSS SECTION TO A RELATED APPLICATION:

CROSS-REFERENCE TO A RELATED APPLICATION

21  
The disclosure contained in this application is related to U.S. patent application  
serial number 09/201,529 (attorney docket number 167), filed simultaneously herewith  
and herein incorporated by reference.

IN THE CLAIMS

Please replace claims 1, 5, 8-9, 12-15, 17-19 and 23-24 with the following  
amended claims: 07/03/2002 SMOORE 00000097 200782 09201530

1. (amended)

Apparatus for providing demand television comprising:

## TELEFAX COVER SHEET

**MOSER, PATTERSON & SHERIDAN, LLP**  
ATTORNEYS AT LAW  
595 SHREWSBURY AVENUE  
FIRST FLOOR  
SHREWSBURY, NJ 07702  
TELEPHONE (732) 530-9404  
TELEFAX (732) 530-9808

\*\*\*\*\*  
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LISTED ABOVE AT (732) 530-9404  
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THIS MESSAGE HAS 17 PAGES INCLUDING THIS SHEET

TO: Assistant Commissioner of Patents  
FAX NO.: 703-872-9314  
FROM: Eamon J. Wall  
DATE: 7/1/02  
MATTER: Serial No. 09/201,530 Filed: 11/30/98  
DOCKET NO.: DIVA/173  
APPLICANT: GORDON ET AL.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

|  |  |
|--|--|
| <input type="checkbox"/> Petition                                | <input checked="" type="checkbox"/> Transmittal Letter (2 copies)      |
| <input type="checkbox"/> Disclosure Statement & PTO-1449         | <input checked="" type="checkbox"/> Fee Transmittal (2 copies)         |
| <input type="checkbox"/> Priority Document                       | <input type="checkbox"/> Deposit Account Transaction                   |
| <input type="checkbox"/> Drawings ( <u>    </u> sheets) informal | <input checked="" type="checkbox"/> Facsimile Transmission Certificate |
| <input checked="" type="checkbox"/> Amendment                    | dated <u>7/1/02</u>  |
| <u>                                    </u>                      | <u>                                    </u>                            |
| <u>                                    </u>                      | <u>                                    </u>                            |

## CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted by facsimile to the Assistant  
Commissioner for Patents, Washington, DC 20231 on 7/1/02  
Facsimile No. 703-746-7239

LAURA E. CRATER  
Name of person signing this certificate

Laura E. Crater 7/1/02  
Signature and date

Please type a plus sign (+) inside this box → ☒

PTO/SB/Z1 (08-00)  
 Approved for use through 10/31/2002. OMB 0851-0031  
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |                        |                  |
|--|------------------------|------------------|
| <b>TRANSMITTAL<br/>FORM AND EXTENSION<br/>REQUEST</b><br><i>(to be used for all correspondence after initial filing)</i> | Application Number     | 09/201,530       |
|  | Filing Date            | 11/30/98         |
|  | First Named Inventor   | Gordon           |
|  | Group Art Unit         | 2611             |
|  | Examiner Name          | Andrew Y. Koenig |
| Total Number of Pages in This Submission   | Attorney Docket Number | DIVA/173         |

  

|   |  |  |
|---|--|--|
| ENCLOSURES (check all that apply)   |  |  |
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment / Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/><br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition Routing Slip (PTO/SB/89) and Accompanying Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks   | The Commissioner is authorized to charge the \$84 additional claim fee and any other fees due including but not limited to any extension fee pursuant to 1.136(a) to Deposit Account No. 20-0782. A duplicate copy of this transmittal is attached.  |  |

  

|  |   |
|--|---|
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
| Firm or Individual name                    | Eamon J. Wall<br>MOSER, PATTERSON & SHERIDAN, LLP |
| Signature                                  | <i>EJ Wall</i>                                    |
| Date                                       | 6/27/02   |

Official

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

Complete if Known

|                      |                  |
|----------------------|------------------|
| Application Number   | 09/201,530       |
| Filing Date          | 11/30/98         |
| First Named Inventor | Gordon           |
| Examiner Name        | Andrew Y. Koenig |
| Group / Art Unit     | 2811             |
| Attorney Docket No.  | DIVA/173         |

TOTAL AMOUNT OF PAYMENT (\$) 84

## METHOD OF PAYMENT (check one)

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

20-0782

Deposit  
Account  
Name

MOSER, PATTERSON &amp; SHERIDAN, LLP

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status.  
See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description        | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|------------------------|----------|
| 101                  | 740                   | 201                  | 370                   | Utility filing fee     |          |
| 106                  | 330                   | 206                  | 165                   | Design filing fee      |          |
| 107                  | 510                   | 207                  | 255                   | Plant filing fee       |          |
| 108                  | 740                   | 208                  | 370                   | Reissue filing fee     |          |
| 114                  | 160                   | 214                  | 80                    | Provisional filing fee |          |

SUBTOTAL (1)

(\$) 0

## 2. EXTRA CLAIM FEES

| Total Claims | Extra<br>Claims | Fee from<br>below | Fee Paid |
|--------------|-----------------|-------------------|----------|
| 24           | -24             | 0                 | 0        |
| 5            | -3              | 2                 | 84       |
|              |                 |                   | 0        |

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description  |
|----------------------|-----------------------|----------------------|-----------------------|--|
| 103                  | 18                    | 203                  | 9                     | Claims in excess of 20                                     |
| 102                  | 84                    | 202                  | 42                    | Independent claims in excess of 3                          |
| 104                  | 250                   | 204                  | 140                   | Multiple dependent claim, if not paid                      |
| 108                  | 84                    | 208                  | 42                    | ** Reissue independent claims over original patent         |
| 110                  | 18                    | 210                  | 9                     | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$) 84

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description  | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|--|----------|
| 106                  | 130                   | 206                  | 65                    | Surcharge - late filing fee or oath  |          |
| 127                  | 50                    | 227                  | 25                    | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                  | 130                   | 139                  | 130                   | Non-English specification  |          |
| 147                  | 2,520                 | 147                  | 2,520                 | For filing a request for reexamination                                     |          |
| 112                  | 920*                  | 112                  | 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 113                  | 1,840*                | 113                  | 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 115                  | 110                   | 215                  | 55                    | Extension for reply within first month                                     |          |
| 116                  | 400                   | 216                  | 200                   | Extension for reply within second month                                    |          |
| 117                  | 820                   | 217                  | 460                   | Extension for reply within third month                                     |          |
| 118                  | 1,440                 | 218                  | 720                   | Extension for reply within fourth month                                    |          |
| 128                  | 1,960                 | 228                  | 980                   | Extension for reply within fifth month                                     |          |
| 119                  | 320                   | 219                  | 160                   | Notice of Appeal   |          |
| 120                  | 320                   | 220                  | 160                   | Filing a brief in support of an appeal                                     |          |
| 121                  | 280                   | 221                  | 140                   | Request for oral hearing   |          |
| 138                  | 1,510                 | 138                  | 1,510                 | Petition to institute a public use proceeding                              |          |
| 140                  | 110                   | 240                  | 55                    | Petition to revive - unavoidable   |          |
| 141                  | 1,280                 | 241                  | 640                   | Petition to revive - unintentional   |          |
| 142                  | 1,280                 | 242                  | 640                   | Utility issue fee (or reissue)   |          |
| 143                  | 480                   | 243                  | 240                   | Design issue fee   |          |
| 144                  | 620                   | 244                  | 310                   | Plant issue fee  |          |
| 122                  | 130                   | 122                  | 130                   | Petitions to the Commissioner  |          |
| 123                  | 50                    | 123                  | 50                    | Processing fee under 37 CFR 1.17 (g)                                       |          |
| 126                  | 180                   | 126                  | 180                   | Submission of Information Disclosure Stmt                                  |          |
| 581                  | 40                    | 581                  | 40                    | Recording each patent assignment per property (times number of properties) |          |
| 145                  | 740                   | 245                  | 370                   | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149                  | 740                   | 249                  | 370                   | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179                  | 740                   | 279                  | 370                   | Request for Continued Examination (RCE)                                    |          |
| 169                  | 900                   | 169                  | 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 0

Complete (if applicable)

## SUBMITTED BY

|                   |               |                                 |        |           |              |
|-------------------|---------------|---------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Eamon J. Wall | Registration No. Attorney/Agent | 39,414 | Telephone | 732-530-9404 |
| Signature         | EJ Wall       |                                 | Date   | 6/27/02   |              |

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.

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